

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

RONALD CLEVELAND OWEN,

Petitioner,

v.

CIVIL ACTION NO. 5:04-cv-001050
(Criminal No. 5:00-cr-00210)

UNITED STATES OF AMERICA,

Respondent.

JUDGMENT ORDER

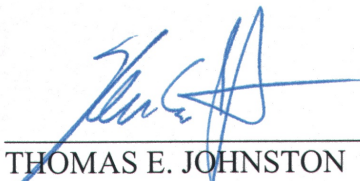
By Standing Order entered on July 21, 2004, and filed in this case on September 29, 2004, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of proposed findings and a recommendation ["PF&R"]. Magistrate Judge VanDervort filed his PF&R on March 21, 2007 [Docket 32]. In that filing, the magistrate judge recommended that this Court deny Petitioner's Motion to under 28 U.S.C. § 2255 to correct his sentence [Docket 27] and remove this action from the Court's active docket.

The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Here, objections to Magistrate Judge VanDervort's PF&R were due by April 6, 2007, pursuant to 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b). Petitioner has failed to object to the PF&R.

Having reviewed the Proposed Findings and Recommendation filed by Magistrate Judge VanDervort, the Court adopts the findings and recommendations contained therein. Accordingly, the Court hereby **DENIES** Petitioner's Motion to under 28 U.S.C. § 2255 to correct his sentence [Docket 27] and **DIRECTS** the Clerk to remove this action from the Court's active docket.

The Clerk is further directed to mail a certified copy of this Judgment Order to all counsel of record, the plaintiff, *pro se*, and a copy to Magistrate Judge VanDervort.

ENTER: April 16, 2007



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE